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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No. 3694

ROBERTS et al.

Group Art Unit: 1754

Application Serial No. 09/508,923

Examiner: T. Vanoy

Filed: JUNE 19, 2000

Title: METAL COMPOUNDS, MIXED OR SULPHATED, AS PHOSPHATE BINDERS

**Match and Return**  
\* \* \* \* \*

June 16, 2003

AMENDMENT UNDER 37 C.F.R. 1.312

**MAIL STOP ISSUE FEE**

Hon. Commissioner of Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

Subsequent to the Notice of Allowance mailed April 3, 2003, but prior to payment of the issue fee, please amend the above identified application as follows.

In the Claims:

1-14. (Cancelled).

15. (Currently amended) A solid mixed metal compound, having phosphate binding capacity, and useful as a medicament, comprising the compound obtained as a precipitate from a solution of a mixture of metallic salts, free from aluminum, and containing (i) hydroxyl and/or carbonate ions; (ii) sulphate, chloride, oxide, or mixtures thereof; (iii) iron (III) and (iv) at least one additional metal selected from the group consisting of magnesium, calcium, lanthanum and cerium, said compound having a phosphate binding capacity of at least 30%, as measured by any of the following test methods (1), (2) or (3), over a pH range of from 3 to 7;

- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room